

USDS SDNY

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DATE FILED: 4/3/14

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

14 MISC 0096

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 IN RE NONJUDICIAL CIVIL : STIPULATION AND ORDER  
 FORFEITURE PROCEEDING REGARDING:  
 APPROXIMATELY \$8,180.00 IN : 14 Misc.  
 UNITED STATES CURRENCY, :  
 -----X

WHEREAS, on or about October 31, 2013, police officers  
 from the New York Police Department ("NYPD") seized \$8,280.00 in  
 United States currency (the "Seized Currency") from an apartment  
 located in the Bronx, New York;

WHEREAS, on or about November 20, 2013, the Subject  
 Currency was transported and adopted by the Federal Bureau of  
 Investigation (the "FBI") for processing;

WHEREAS, on or about December 6, 2013, the NYPD and the  
 FBI were informed by Chase bank that one \$100 bill of the Seized  
 Currency was deemed counterfeit and the bank receipt was adjusted  
 to reflect \$8,180.00 in United States currency (the "Subject  
 Currency"). Thereafter, the Subject Currency was deposited into the  
 Seized Asset Deposit Fund by the United States Marshals Service (the  
 "USMS");

WHEREAS, the FBI initiated an administrative forfeiture  
 proceeding against the Subject Currency by timely sending written  
 notice of its intent to forfeit the Subject Currency to all known  
 interested parties;

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WHEREAS, on or about January 15, 2014, the FBI received a claim from Jacob Lopez (the "Claimant") asserting his interest in the Subject Currency, and whereas the FBI subsequently referred the matter to the United States Attorney's Office for judicial forfeiture;

WHEREAS, no other party has claimed an interest in the Subject Currency;

WHEREAS, the United States of America and the Claimant wish to resolve this forfeiture matter without resort to litigation;

NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED AND ORDERED, by and between Preet Bharara, United States Attorney for the Southern District of New York, by and through Assistant United States Attorney Andrew C. Adams, and the Claimant, by his counsel, Jason Lopez, Esq. that:

1. The USMS, or its designee, shall issue payment in the amount of \$4,090.00 in United States currency through electronic transfer to made payable to the to the account designated on the UFMS Vendor Request Form to be completed by Claimant's counsel or other means agreed on by the parties.

2. The Claimant shall withdraw any and all claims and petitions to the balance of the Subject Currency, consisting of \$4,090.00 in United States currency, and this sum shall be and is hereby forfeited to the United States pursuant to 21 U.S.C. §

881(a)(6).

3. The Claimant is hereby barred from asserting any claim against the United States of America ("USA"), the Department of Justice ("DOJ"), the U.S. Attorney's Office for the Southern District of New York ("SDNY-USAO"), the USMS, the NYPD, the FBI, or any agents and employees of the USA, the DOJ, the SDNY-USAO, the USMS, the NYPD, the FBI, and is further barred from assisting others in asserting any such claim, in connection with the seizure and/or possession of the Subject Currency.

4. The Claimant represents that he is the sole owner of the Subject Currency and further agrees to hold harmless the USA, the DOJ, the SDNY-USAO, the USMS, the NYPD, and the FBI, as well as any and all employees, officers, and agents of the USA, the DOJ, the SDNY-USAO, the USMS, the NYPD, and the FBI, from any and all claims arising from any acts, incidents, or occurrences in connection with the seizure and/or possession of the Subject Currency, including but not limited to any third-party claims of ownership of the Subject Currency.

5. Acceptance of this resolution shall not constitute an admission of guilt by the Claimant with respect to any criminal offense.

6. Each party shall bear its own costs and attorney's fees.

7. The signature pages of this stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

Agreed and consented to:

PREET BHARARA  
United States Attorney for the  
Southern District of New York  
Attorney for the United States

By: 

ANDREW C. ADAMS  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, New York 10007  
(212) 637-2340

4/1/14  
DATE

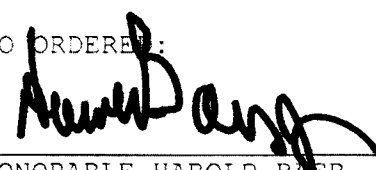
Jacob Lopez, Claimant

By: 

JASON LOPEZ, ESQ.  
Attorney for Claimant  
325 Broadway, #404  
New York, NY 10007  
(212) 964-4144

4/1/14  
DATE

SO ORDERED:

  
HONORABLE HAROLD BAER, PART I  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF NEW YORK

4/3/14  
DATE